

# *St. Louis City Ordinance 65113*

FLOOR SUBSTITUTE  
BOARD BILL NO. 220 [00]

INTRODUCED BY ALDERMAN LYDA KREWSON

An ordinance recommended by the Board of Public Service to vacate public surface rights for vehicle, equestrian and pedestrian travel on the western portion of University Circle adjoining City Block 5413 as bounded by Millbrook, Skinker, Forsyth, and City Limit Line in the City of St. Louis, Missouri, as hereinafter described, in accordance with Charter authority, and in conformity with Section 14 of Article XXI of the Charter and imposing certain conditions on such vacation.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

**SECTION ONE:** The public surface rights of vehicle, equestrian and pedestrian travel, between the rights-of-way of:

A tract of land being part of University Circle, 140 feet radius, said circle being part of City Block 5413 of the City of St. Louis; said being more particularly described as follows:

Beginning at the southeasterly corner of said City Block 5413, said point being in the westerly line of Skinker Boulevard, 100 feet wide, at said westerly line's intersection with the northerly line of Forsyth Boulevard; thence along said westerly line, north 00 degrees 19 minutes 45 seconds east, a distance of 429.31 feet to a point in University Circle, 140 feet radius, said point being the point of beginning of the area in University Circle, 140 feet radius, to be vacated; thence along a non-radial curve to the left having a radius of 140.00 feet, the chord of which bears north 00 degrees 19 minutes 45 seconds east, an arc

distance of 337.57 feet to a point; thence south 00 degrees 19 minutes 45 seconds west, a distance of 261.53 feet to the point of beginning, containing 0.392 acres, more or less.

are, upon the conditions hereinafter set out, vacated.

**SECTION TWO:** Vacated area will be consolidated as part of Washington University Hilltop Campus in conjunction with its Community Unit Plan.

**SECTION THREE:** All rights of the public in the land bearing rights-of-way traversed by the foregoing conditionally vacated street, are reserved to the City of St. Louis for the public including present and future uses of utilities, governmental service entities and franchise holders, except such rights as are specifically abandoned or released herein.

**SECTION FOUR:** The owners of the land shall maintain the current configuration of street surface pavement, green space, sidewalks and street lighting at such owners sole expense. Any and all maintenance or repair of the street surface pavement shall conform to the provisions of Ordinance 64209 and shall be at the owner's sole expense. All utilities within the rights-of-way shall not be disturbed or impaired by such repair or maintenance work.

**SECTION FIVE:** The City, utilities, governmental service entities and franchise holders shall have the right and access to go upon the land and occupation hereof within the rights-of-way for purposes associated with the maintenance, construction or planning of existing or future facilities, being careful not to disrupt or disturb the owners interests more than is reasonably required.

**SECTION SIX:** The owners shall not place any improvement upon, over or in the land traversed by the rights-of-way without a lawful permit from the City and written consent of the utilities, governmental service entities and franchise holders, present or future; and such consent together with the terms and conditions thereof shall be filed in writing with the Board of Public Service and approved by such Board prior to the undertaking of any such construction concerning the rights-of-way.

**SECTION SEVEN:** The owners may secure the removal of all or any part of the facilities of a utility, governmental service entity or franchise holder by agreement in writing with such utilities, governmental entity or franchise holder, filed with the Board of Public Service prior to the undertaking of such removal.

**SECTION EIGHT:** In the event that granite curbing or cobblestones are removed within the vacated area, the Department of Streets of the City of St. Louis must be notified and it in turn will remove said curbing or cobblestones at the current removal price.

**SECTION NINE:** An affidavit stating that all of the conditions of this ordinance have been/will be fulfilled and/or complied with must be submitted to the Board of Public Service for acceptance 365 days (1 year) from the date of the signing and approval of this ordinance. If this affidavit is not submitted within the prescribed time the ordinance will be null and void.

Legislative History				
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
11/03/00	11/03/00	STR	11/16/00	
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
11/17/00			12/01/00	12/01/00
ORDINANCE	VETOED	VETO OVR	SIGNED BY MAYOR	
65113			12/20/00	